

REMARKS

The Office Action has been carefully reviewed in light of the newly cited and previously cited references and Examiner's comments, and accordingly, claim 23 has been cancelled and replaced by new claim 35 and the defendant claims have been amended to distinguish Applicants' invention more clearly and to place these claims in condition for allowance with claim 34. Applicants note the allowability of claims 29 and 33 and requests reconsideration of claim 32 for the reasons which follow.

In reference to new claim 35, Applicants' patio door assembly includes a first door panel (70) including a rectangular door panel frame (78) and a swinging second door panel (75) including a rectangular door panel frame (78). New claim 35 further includes the improvement wherein each of the door panel frames (78) includes elongated door frame members each having parallel spaced outer side walls (82, 83) and inner walls (86) (FIG. 5) spaced substantially parallel to the outer side walls (82, 83), a first plurality of spaced internal walls (88) extending laterally between the outer side walls and the inner walls of each door frame member and integrally connecting the outer side walls to the inner walls, a second plurality of spaced internal walls (91, 92, 93) extending laterally between the inner walls (86) of each door frame member (78) and integrally connecting the inner walls, a hinge (115) having an inactive leaf (121) secured by threaded fasteners (66) to the astragal member (50), and the hinge having an active leaf (117) secured by threaded fasteners (66) threaded into the internal walls (88) of an adjacent frame member of the second door panel (75).

Applicants have carefully reviewed the disclosure of the newly cited reference of Novak et al. '223 and are unable to find any suggestion or teaching of Applicants' door panel frame 78 and the connection of the door frame 78 of the

swinging second door panel 75 to the astragal member 50, as set forth above in new claim 35. For example, FIG. 4 of Novak et al. '223 discloses door jambs 56, 58, 60 and 62 with the door jambs 58 and 60 receiving therebetween a conventional door 12. There is no suggestion or teaching in Novak et al. of the above structure of Applicants' rectangular door panel frame 78 for the door panel 70 and for the swinging door panel 75. On the other hand, Applicants have found that this structure of their rectangular door panel frames 78 with welded mitered corners and extending around each glass panel 80 provides for a door panel frame having substantial strength and resistance to twisting and distortion, and also eliminates the need for inserted reinforcement elements within the door panel frame, for example, as disclosed in Yane '947. Applicants' door panel frame is also disclosed in Design Patent No. 429,532, a copy of which is attached.

The references also fail to disclose or suggest the additional structure of Applicants' patio door assembly as set forth in the claims dependant from new claim 35. For example, none of the references suggests the structure of Applicants' hinge 115, as called for in claim 24 and which provides for conveniently and precisely positioning the door panel 75 between the header and sill members, or the structure of Applicants' vertical astragal member 50, as recited in claim 25, including the integral stop portions 61 and the longitudinally extending vertical portions 68 defining holes receiving vertical threaded fasteners 66, as shown in FIG. 6. The vertical threaded fasteners disclosed in FIG. 4 of Dallaire '387 function to secure a fixed horizontal rail 42 to the top wall of the sill 32. With respect to claim 26, the references also fail to teach the structure of Applicants' metal approach member 38 (FIG. 3) including an inner portion defining a groove receiving a flexible door seal 36, or Applicants' angular insert strip 46 (FIGS. 2 and 3) attached by snap-fit to the head and jamb members to define a channel for receiving a sliding screen door frame, as called for in claim 27. In reference to claim 28, the brick moldings 84

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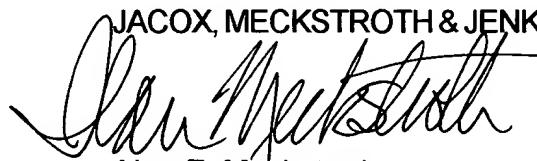
attached to the jambs 56 and 62 in Novak et al. '223 in no way suggest Applicants' door panel frames 78 each having a peripherally extending and laterally outwardly facing external groove 95 and a rigid spacer member 128 within the groove. Applicants are also unable to find any suggestion in Yane '947 of Applicants' latch mechanism 132 (FIG. 4) mounted within the door panel frame 78 of the second door panel 75 between the parallel spaced inner walls 86, as recited in claim 30.

In reference to claim 32, which has been rejected over the disclosure of Novak et al. '223 and Yane '947, the above comments with respect to claim 28 also apply to claim 32. That is, neither Novak et al '223 nor Yane '947 have any disclosure which suggests the structure of Applicants' door panel frame 78 having spaced inner walls defining a peripherally extending and laterally outwardly facing external groove 95 and including a rigid spacer member 128 confined within the groove. This structure is clearly shown in FIGS. 2, 3 & 5.

In view of the foregoing, Applicants believe that new claim 35 and each of claims 24-30 and 32 defines a patio door assembly which is clearly distinguished from the references. Accordingly, Applicants believe that these claims are in condition for allowance with claims 29, 33 and 34, and respectfully requests that this application be passed to issue.

Respectfully submitted,

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